

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FORTUNE PLAYERS GROUP, INC., et al.,

Case No. 16-cv-00800-TEH

Plaintiffs,

V.

WAYNE QUINT, JR., et al.,
Defendants.

ORDER RE: SUPPLEMENTAL BRIEFING

This matter is under submission following a hearing on Defendants' motion to dismiss, held on June 20, 2016. At the hearing, the Court invited the parties to discuss whether or not Fortune Players Group is engaged in a "closely regulated" industry such that the test articulated in *New York v. Burger*, 482 U.S. 691 (1987), applies. Plaintiffs argued, among other things, that for purposes of the pertinent regulations, Fortune Players Group is more akin to a "bank" providing liquidity in the form of proposition players, as opposed to a dealer or casino participating directly in the gambling industry. The Court finds that it would be helpful to have additional information about the role of third party providers of proposition player services in the gambling industry.

Accordingly, IT IS HEREBY ORDERED that the parties shall meet and confer, and shall jointly submit a statement containing a description of Fortune Players Group and the role it plays in the gambling industry. If the parties are unable to agree on a description, the parties shall submit separate statements. Statements may not exceed five pages, and shall be submitted no later than **Monday, July 18, 2016**.

IT IS SO ORDERED.

Dated: 06/30/16

Thelton Henderson
THELTON E. HENDERSON
United States District Judge